

MCNAIR  
ATTORNEYS

September 26, 2014

Margaret M. Fox

pfox@mcnair.net  
T 803.753.9800  
F 803.753.3278

Jocelyn G. Boyd, Esquire  
Chief Clerk and Administrator  
South Carolina Public Service Commission  
Synergy Business Park, The Saluda Building  
101 Executive Center Drive  
Columbia, South Carolina 29210

Re: Application of Palmetto Telephone Communications, LLC  
for a Certificate of Public Convenience and Necessity to  
Provide Local Exchange and Exchange Access Service to  
Customers Located in Certain Areas of the State of South  
Carolina  
**Docket No. 2014-324-C**

Dear Ms. Boyd:

Enclosed for filing on behalf of Palmetto Telephone Communications, LLC, please find a proposed Order Granting Expedited Review and Approving Application in the above-referenced matter.

Please let me know if you have any questions regarding this filing.

Very truly yours,

McNAIR LAW FIRM, P.A.



Margaret M. Fox

cc: Parties of record

MMF:he  
Enclosure

McNAIR LAW FIRM, P.A.  
1221 Main Street  
Suite 1600  
Columbia, SC 29201

Mailing Address  
Post Office Box 11390  
Columbia, SC 29211

mcnair.net

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2014-324-C – ORDER NO. 2014-\_\_\_\_  
September \_\_, 2014

IN RE:

Application of Palmetto Telephone Communications, LLC	)	ORDER GRANTING
for a Certificate of Public Convenience and Necessity to Provide	)	EXPEDITED REVIEW
Local Exchange and Exchange Access Service to Customers	)	AND APPROVING
Located in Certain Areas of the State of South Carolina	)	APPLICATION
<hr/>		)

This matter comes before the Public Service Commission of South Carolina (“Commission”) on the application of Palmetto Telephone Communications, LLC (“Applicant” or “Palmetto”) to expand its authority to provide local exchange and exchange access services to customers located in those areas of the State of South Carolina that are served by BellSouth Telecommunications, Inc. d/b/a AT&T South Carolina (“AT&T”); Frontier Communications of the Carolinas, Inc. (“Frontier”); United Telephone Company of the Carolinas, Inc., d/b/a CenturyLink (“CenturyLink”); Windstream South Carolina, LLC (“Windstream”); and other incumbent local exchange carriers (“ILECs”) whose rural exemptions under 47 U.S.C. §251(f)(1) have been terminated by the Commission. The Applicant further requests flexible regulation of local exchange service offerings. The Applicant has moved for expedited review of its Application and waiver of the formal evidentiary hearing. Upon review of the Application and all of the supporting documents submitted by the Applicant, we grant the requested relief.

The Applicant published a Notice of Filing of the request in newspapers of general circulation, as required by the Commission. The deadline to intervene in this matter was September 2, 2014.

The South Carolina Office of Regulatory Staff (“ORS”) is a statutory party to this action. See S.C. Code Ann. § 58-4-10(B). On September 11, 2014, ORS filed a letter in this docket stating that it does not oppose the Commission granting Palmetto’s Application. Palmetto’s counsel has consulted with counsel for ORS, and ORS does not object to proceeding without a formal hearing in this matter.

No other comments or petitions to intervene were received in response to the notice. Thus, all interested persons have been afforded an opportunity for a hearing, as required by S.C. Code Ann. § 58-9-280(B), Section 1-23-320(a) of the South Carolina Administrative Procedures Act, and constitutional due process. Proceeding without a formal hearing in this matter would serve the public interest in administrative efficiency.

In support of its Application and request for expedited review of this matter, the Applicant has filed the verified testimony of Jason J. Dandridge. Mr. Dandridge’s testimony and the other supporting information included in the Applicant’s filings demonstrate the following:

The Applicant was organized as a Limited Liability Company in the State of South Carolina in 1998. The Applicant is a wholly owned subsidiary of Palmetto Rural Telephone Cooperative, Inc., which has been providing local exchange telephone service in the State of South Carolina since 1955. The Applicant has previously been issued certificates of public convenience and necessity by this Commission. In 1999, the Commission granted the Applicant a certificate to provide resold interexchange telecommunications services within the State of South Carolina. See Commission Order No. 1999-617 in Docket No. 1999-309-C. In 2004, the Commission granted the Applicant a certificate to provide competitive local exchange and exchange access service to customers located in the Walterboro exchange served by Verizon South, Inc., now served by Frontier. See Commission Order No. 2004-1 in Docket No. 2003-270-C. In 2012, the Commission granted the Applicant’s

request to expand its authority to include Frontier's Yemassee, Ehrhardt, Olar, and Fairfax exchanges, and CenturyLink's Hampton and Estill exchanges. See Commission Order No. 2012-75 in Docket No. 2011-303-C. Each of these certificates was granted to the Applicant upon a finding by the Commission that the Applicant has the technical, financial, and managerial resources sufficient to provide the requested services within the State of South Carolina, and that the Applicant met all other requirements of certification. The Applicant continues to meet these requirements.

The Applicant seeks to amend its Certificate of Public Convenience and Necessity, pursuant to S.C. Code Ann. §58-9-280 and the rules and regulations of the Commission to permit it to provide local exchange access services to customers located in those areas of the State of South Carolina that are served AT&T, Frontier, CenturyLink, Windstream, and other ILECs whose rural exemptions under 47 U.S.C. §251(f)(1) have been terminated by the Commission. The Applicant will provide the same service, under the same terms and conditions, to customers located in the expanded area as it currently is providing to customers in its presently certificated service area. The Applicant will offer the service at rates comparable to those of the incumbent LEC serving the area.

Amending the Applicant's certificate to expand its service area will serve the public interest. The Applicant is an established competitive local exchange carrier in South Carolina. Provision of service by the Applicant in the requested service area will enhance competition in the State of South Carolina by offering additional service options and high service quality to South Carolina telecommunications users.

As demonstrated in the Applicant's prior certification proceedings; the Applicant's service history; the description of key personnel attached as Exhibit A to the Application; the most recent Telecommunications Company Annual Report of the Applicant's parent company, Palmetto Rural Telephone Cooperative, Inc., which is on file with the Commission and is attached as Exhibit B to

the Application; and the verified Testimony of Jason D. Dandridge filed in this docket on August 29, 2014, the Applicant has the technical, managerial, and financial resources necessary to provide service in the requested areas. The Applicant will provide services which meet the service standards of the Commission; the Applicant's provision of service will not adversely impact the availability of affordable local exchange service, and will not otherwise adversely impact the public interest; and the Applicant will support universally available telephone service at affordable rates.

The Commission has previously granted the Applicant's request for flexible regulation of its local exchange telecommunications services. See Commission Order No. 2004-1 in Docket No. 2003-270-C. The Applicant requests the same treatment for local exchange telecommunications services provided in the expanded area for which it requests certification.

We find that the relief requested by the Applicant is in the public interest, and therefore, we approve the application and grant the relief sought therein.

This Order shall remain in full force and effect until further order of the Commission.

BY ORDER OF THE COMMISSION:

---

Nikiya Hall, Chairman

ATTEST:

---

Swain E. Whitfield, Vice Chairman

(SEAL)

BEFORE  
THE PUBLIC SERVICE COMMISSION  
OF  
SOUTH CAROLINA

Docket No. 2014-324-C

Application of Palmetto Telephone Communications, LLC )  
for a Certificate of Public Convenience and Necessity to Provide )  
Local Exchange and Exchange Access Service to Customers )  
Located in Certain Areas of the State of South Carolina )  
\_\_\_\_\_)

**CERTIFICATE OF SERVICE**

I, Heather M. Elder, do hereby certify that I have this date served one (1) copy of the proposed Order Granting Expedited Review and Approving Application on behalf of Palmetto Telephone Communications, LLC in the above-referenced docket upon the following parties causing said copy to be deposited with the United States Postal Service, first class postage prepaid and properly affixed thereto, and addressed as follows:

C. Lessie Hammonds, Esquire  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201

Andrew M. Bateman, Esquire  
Office of Regulatory Staff  
1401 Main Street, Suite 900  
Columbia, South Carolina 29201



Heather M. Elder, Legal Assistant  
McNair Law Firm, P. A.  
P. O. Box 11390  
Columbia, South Carolina 29211

September 26, 2014

Columbia, South Carolina